

State of South Dakota

EIGHTY-FIRST SESSION
LEGISLATIVE ASSEMBLY, 2006

484M0586

HOUSE BILL NO. 1153

Introduced by: Representatives Buckingham, Cutler, Hunt, and Krebs and Senator Gant

1 FOR AN ACT ENTITLED, An Act to revise the definition of a prohibited sexual act.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 Section 1. That subdivision (16) of § 22-24A-2 be amended to read as follows:

4 (16) "Prohibited sexual act," actual or simulated sexual intercourse, sadism, masochism,
5 sexual bestiality, incest, masturbation, or sadomasochistic abuse; actual or simulated
6 exhibition of the genitals ~~or~~ the pubic or rectal area, or the feminine breasts, in a
7 lewd or lascivious manner; actual physical contact with a person's clothed or
8 unclothed genitals, pubic area, buttocks, or, if such person is a female, breast with the
9 intent to arouse or gratify the sexual desire of either party; defecation or urination for
10 the purpose of creating sexual excitement in the viewer; or any act or conduct which
11 constitutes sexual battery or simulates that sexual battery is being or will be
12 committed. The term includes encouraging, aiding, abetting or enticing any person
13 to commit any such acts as provided in this subdivision. The term does not include
14 a mother's breast-feeding of her baby;

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